



# UTILITY PATENT APPLICATION TRANSMITTAL

Address to:	Attorney Docket No.	3127 PUS
Mail Stop PATENT APPLICATION Commissioner f r Patents United States Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	Inventor(s) or Appln. Identifier	Cynthia R. Aiken

10771634  
17548 U.S.PTO  
020304

1. This application entitled CONTAINER WITH LID is:

- a.  A new application under 37 C.F.R. § 1.53(b).
- b.  A    continuation    divisional or    continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No.                    filed on                   , entitled
- c.  A new utility application which claims the benefit of provisional application Serial No. 60/445,112, filed on February 4, 2003.

Application elements and other attached papers:

2.  Specification (including Claims and Abstract) [Total Pages 10]
3.  Drawings (x informal /    formal) [Total Sheets 9]
4.  Oath or Declaration

  - a.  Newly-executed
  - b.  Copy from a prior application (37 C.F.R. § 1.63(d))

5.  Incorporation By Reference: The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  

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  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

## CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this **UTILITY PATENT APPLICATION TRANSMITTAL** and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Mail Stop: Patent Application, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Express  
Mail Label No. EJ 206 387 433 US

Date of Deposit: 2/3/04

KONSTANTINE J. DIAMOND  
(Type or print name of person mailing paper)  
  
(Signature of person mailing paper)

13.  An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:

- a.  Form PTO/SB/08 ( sheet(s))
- b.  Copies of references cited

14.  Certified copy of priority document(s)

15.  Nonpublication Request Under 37 C.F.R. § 1.213(a)

16.  Request for Early Publication Under 37 C.F.R. § 1.219

17.  Return Receipt Postcard

18.  Other: \_\_\_\_\_  
\_\_\_\_\_

19.  An Assignment of the invention to Rehrig Pacific Company  
having an address of 4010 E. 26<sup>th</sup> Street, Los Angeles, California 90023

- a.  is attached.
- b.  was recorded in provisional application No. 60/445,112 on April 4, 2003 at Reel 013568, Frame 0556.
- c.  Applicant requests that the above assignee information be published with the application.

20. The power of attorney in the prior application is to:

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Name of Attorney of Record

Reg. No.

- The power appears in the original papers in the prior application.
- The power does not appear in the original papers, but was filed on \_\_\_\_\_.
- A new power has been executed and is attached.

21. Correspondence Address: Please address all future communications to:

KONSTANTINE J. DIAMOND,  
4010 E. 26<sup>th</sup> st.  
Los Angeles, CA 90023  
Phone: 323-262-5145; Fax: 323-269-8506

Respectfully submitted,

Cynthia R. Aiken



Name: Konstantine J. Diamond  
Registration No.: 39,657

Date February 3, 2003

Attorney or agent of record  
 Filed under Rule 34(a)

## 7. Preliminary Amendment:

- a.  A Preliminary Amendment is attached.
- b.  Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.
- c.  Please amend the specification by inserting before the first line the following sentence:  
"This is a \_\_\_\_\_ continuation \_\_\_\_\_ divisional of copending application(s) serial number \_\_\_\_\_ filed on \_\_\_\_\_."
- d.  A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

## 8. Small entity status:

- a.  Applicant claims small entity status.
- b.  Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer desired.

## 9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS	
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	20 -20 =	0	x 18.00		
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	3 -3 =	0	x 86.00		
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			270.00		
			BASIC FEE (37 C.F.R. § 1.16(a))	770.00	
TOTAL OF ABOVE CALCULATIONS					
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)					
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				---	
				TOTAL	770.00

10.  A check in the amount of \$\_\_\_\_\_ is enclosed.11.  The Commissioner is hereby authorized to charge the basic fee of \$770 to our Deposit Account 50-1984. The Commissioner is further authorized to credit overpayments or charge any additional fees to Deposit Account No. 50-1984:

- a.  Fees required under 37 C.F.R. § 1.16.
- b.  Fees required under 37 C.F.R. § 1.17.

## 12. Maintenance of Copendency of Prior Application

A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until \_\_\_\_\_.